



U.S. ENVIRONMENTAL PROTECTION
AGENCY (EPA)
NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)
EPA's NOI PROCESSING CENTER



10/29/2013

SUPER SALVAGE, INC.
Attn: STEPHEN B MIDDLETHON
1711 1ST STREET SW
WASHINGTON, DC 20024-3404

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1711 1ST STREET SW
WASHINGTON, DC 20024-3404

Dear STEPHEN B MIDDLETHON:

Thank you for submitting your paper Notice of Intent (NOI) form for coverage under EPA's 2008 Multi-Sector General Permit (MSGP). The 2008 MSGP expired at midnight on September 29, 2013, and a new permit to replace it has not yet been issued. Until the new MSGP is issued, any new facilities may not file an NOI for coverage under the MSGP. Therefore, the NOI Processing Center cannot process your NOI form.

EPA has issued a memorandum concerning new facilities that begin discharging stormwater associated with industrial activity after September 29, 2013. This memorandum provides a "no action assurance" for new facilities that comply with the requirements of the 2008 MSGP, subject to particular terms and conditions as set forth in a memorandum found at www.epa.gov/npdes/stormwater/msgp.

Once the MSGP has been reissued, all facilities desiring MSGP coverage will then need to file an NOI. Please visit the EPA MSGP website at www.epa.gov/npdes/stormwater/msgp for updated information about the reissuance of the MSGP.

Should you have any questions in regards to your compliance with the MSGP, please contact the EPA Regional Office that corresponds to the location of your site.

EPA NOI Processing Center
Operated by Avanti Corporation
1200 Pennsylvania Ave., NW
Mail Code: 4203M
Washington, DC 20460
1-866-352-7755



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 27 2013

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: No Action Assurance for the NPDES Stormwater Multi-Sector General Permit for Industrial Activities

FROM: Cynthia Giles *Cynthia Giles*

TO: Regional Administrators, Regions 1 - 10

This memorandum is to inform you of the pending lack of a Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) and to alert you to the Environmental Protection Agency's (EPA or Agency) current position on our civil enforcement response to this situation. The current MSGP under the National Pollutant Discharge Elimination System (NPDES) program will expire at midnight on September 29, 2013. The affected EPA Regions have signed a Federal Register notice announcing the proposed reissuance of the MSGP; however, the permit will not be finalized until approximately six months after the expiration of the 2008 MSGP. While facilities with coverage under the 2008 MSGP (available at http://www.epa.gov/npdes/pubs/msgp2008_finalpermit.pdf) will automatically be granted an administrative continuance of permit coverage and are required to continue to comply with the 2008 MSGP after its expiration, any new facilities that begin discharging stormwater associated with industrial activity after September 29, 2013 in those areas where EPA is the NPDES permitting authority will not be able to obtain general permit coverage until a new permit is issued.

Because a new general permit has not yet been promulgated that will cover such new facilities during the period after expiration of the 2008 MSGP and the effective date of the new MSGP, I have determined that it is appropriate to exercise my enforcement discretion and issue this "no action assurance" to address this gap in coverage. Specifically, the Agency will not pursue administrative or civil judicial enforcement actions for lack of permit coverage against new facilities that begin discharging stormwater associated with industrial activity after September 29, 2013, provided that these newly-discharging facilities meet the following requirements:

1. Eligibility. For coverage under this no action assurance, any new facility must meet the 2008 MSGP eligibility criteria.
2. Prior Notification. Prior to the discharge of stormwater associated with industrial activity after September 29, 2013 by a new facility, such facility must notify the